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May 16, 2007

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: EX PARTE NOTICE
WT Docket No. 01-108 and RM-11355

Dear Ms. Dortch,

On April 27, 2007 ADT Security Services, Inc. (ADT) and the Alarm Industry Communications Committee (AICC) filed an Ex Parte Notice in the above-referenced proceeding. Attached to the Notice was a document entitled "Facts Established By The AMPS Sunset Record." Both the Notice and the attachment contain erroneous information that attempts to disguise the fundamental issue in this proceeding: the alarm industry has known since February 2003 that cellular carriers would no longer be required to support the analog AMPS standard, yet some in the alarm industry waited almost four years to begin the transition to digital technology.

Item 5 of the attachment is entitled "Ongoing Issues With Cellular Networks Has Slowed AMPS Replacement." Subsection 5a includes the claim that "AT&T/Cingular did not complete merger of incompatible networks until fall 2006 (See Cingular October 3, 2006 press release, *Attachment A*). Any conversion of AMPS radios on AT&T network before then would have required a second truck roll this year." These assertions are false. As an initial matter, the AT&T Wireless and Cingular networks were not incompatible. Both deployed GSM technology, as does the current integrated AT&T Mobility network. The Analog Sunset Order was published in February 2003, a year before the merger was announced. Both Cingular and AT&T Wireless had deployed GSM at that time and GSM modems were available from a variety of manufacturers for inclusion in alarm equipment, but neither ADT nor any other AICC member took any action (other than issuance of an RFP) to transition customers to digital service during this time. Nor did the alarm industry begin a transition during the time between the announcement of the merger and October 2004, when the merger closed. After the merger, during the integration of the networks, alarm equipment utilizing a GSM modem, had it been deployed by the alarm industry, could have been reprogrammed over the air (OTA), and so no second truck roll would have been required. Had alarm industry members provided their customers with GSM alarm panels using digital technology prior to the completion of the network integration (indeed, even prior to the merger) the devices would have continued to operate on the merged network. Cingular never indicated to ADT or any other customer or its third party representatives that the integration would require a subsequent change of hardware for existing GSM alarm equipment, nor did ADT ever ask Cingular about how the integration might affect a transition to GSM alarm equipment. If they had asked, Cingular would have assured

them that no second truck roll would be required. Still, ADT did not even begin to test devices for a transition to GSM until fall of 2006, more than three years after the order was released.

The alarm industry attachment also includes assertions in section 5b that "while working with the new AT&T/Cingular GSM network in late 2006, ADT experienced significant network issues that were not resolved until January 26, 2007, 12 months from the AMPS sunset. This delayed the start of a major analog for digital radio exchange program. AICC Reply Comments p. 20." For ADT to imply that there were any "significant network issues," let alone any that would have delayed ADT's transition to GSM alarm systems is misleading, at best.

During solution testing, ADT reported two separate minor network issues to Cingular, each of which was resolved within a week by Cingular. A functional Short Message Peer-to Peer (SMPP) solution was delivered to and accepted by ADT on November 17, 2006. During ADT's testing on or about November 28, 2006, an SMPP connectivity issue in one of two SMPP Bind paths was reported to Cingular. Cingular promptly identified the issue and corrected it in the earliest possible maintenance window on December 1, 2006. ADT also reported an intermittent General Packet Radio Service (GPRS) data transfer issue to Cingular on January 17, 2007. Working in conjunction with ADT, Cingular identified an obscure switch configuration issue on January 19, 2007. Cingular implemented a temporary work around so that ADT could continue testing. The issue was resolved permanently on January 23, 2007. Thus, ADT reported two separate minor network issues to Cingular during solution testing, each of which was resolved within a week. Cingular did not cause any delay in ADT's digital rollout.

The alarm industry also contends in the attachment at section 5c that "the alarm industry cannot be held accountable for delays caused by the cellular industry. The alarm industry waited almost four years after the *Analog Sunset Order* to begin deploying a digital alternative to AMPS. The alarm industry cannot lay the blame for its own inaction at the feet of the cellular industry.

Please let me know if there are any questions concerning this matter.

Sincerely,

Brian Fontes

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